

AMENDED IN ASSEMBLY APRIL 26, 2011

AMENDED IN ASSEMBLY APRIL 5, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 193

Introduced by Assembly Member Knight

January 27, 2011

An act to add Section 12287.5 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 193, as amended, Knight. Polling place designation.

Existing law provides requirements for local elections officials to designate public and private properties and facilities for use as polling places.

This bill would prohibit a polling place from being designated at a single-family residence where a registered sex offender resides, and would require elections officials to consult the *Megan's Law* sex offenders' database maintained by the Department of Justice *not more than 60 days* prior to designating a single-family residence as a polling place.

Because this bill would impose additional duties on local elections officials *in designating a polling place*, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12287.5 is added to the Elections Code,
2 to read:
3 12287.5. A single-family residence shall not be designated as
4 a polling place if ~~it is the residence~~ *elections officials determine*
5 ~~that it has the registered address of a person who is required to~~
6 register pursuant to the Sex Offender Registration Act. Elections
7 officials shall, ~~at a minimum, consult the database for registered~~
8 ~~sex offenders maintained by the Department of Justice prior to~~
9 ~~designating a single-family residence as a polling place.~~ *not more*
10 ~~than 60 days prior to designating a single-family residence as a~~
11 ~~polling place, use the Megan's Law Internet Web site maintained~~
12 ~~by the Department of Justice to determine if the residence has the~~
13 ~~registered address of a sex offender. In accordance with~~
14 ~~subdivision (k) of Section 290.46 of the Penal Code, an elections~~
15 ~~official who is required to register as a sex offender shall be~~
16 ~~prohibited from accessing the Megan's Law public Internet Web~~
17 ~~site.~~
18 SEC. 2. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.